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**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

ISAI BALTEZAR & JULIE CHO,

Plaintiffs,

v.

MIGUEL CARDONA, in his official
capacity as Secretary of Education, *et al.*,

Defendants.

Case No. 5:20-cv-455-EJD

JOINT STATUS REPORT

Hon. Edward J. Davila

In its Order of June 27, 2023, the Court concluded that “abeyance remains appropriate in this case as the latest [gainful employment (“GE”)] [Notice of Proposed Rulemaking (“NPRM”)] proceeds through the regular course of agency rulemaking” and ordered the parties “to file status reports within 10 days of any formal agency action with regards to the present GE NPRM or any other GE regulation.” Order of June 27, 2023 [ECF 81], at 2. Accordingly, the parties submit this joint status report to notify the Court that on October 10, 2023, the U.S. Department of Education issued a final rule on the subject of Financial Value Transparency and Gainful Employment. *See* 88 Fed. Reg. 70004 (Oct. 10, 2023) (“Final Rule”). Under the statutory master calendar, 20 U.S.C. § 1089, the Final Rule’s effective date is July 1, 2024. Counsel for the parties have conferred, and Plaintiffs have indicated they are still in the process of reviewing the Final Rule.

1 The parties jointly propose that this case continue to be held in abeyance and that the parties file
2 a Joint Status Report on or before January 18, 2024, addressing their views on whether or how to
3 proceed in this case.

4 DATED: October 20, 2023

Respectfully submitted,

5 Glenn Rothner (SBN 67353)
6 ROTHNER SEGALL & GREENSTONE

7 Daniel A. Zibel (admitted *pro hac vice*)
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